23rd January 1948] [Sri Kala Venkata Rao]

The motion was carried, and the following names were approved :—

(1) The Hon. Sri O. P. Ramaswamy Reddiar,
(2) ,, Dr. T. S. S. Rajan,
(3) ,, Sri K. Madhava Menon,
(4) Sri P. Veerabhadraswami,
(5) Sri A. Govindacharyulu,
(6) Sri N. Ranga Reddi,
(7) Sri S. Jayarama Reddi,
(8) K. Uppi Sahib Bahadur,
(9) Dr. Sir A. Lakshmanaswami Mudaliyar, and
(10) Sri Medai Dalavoi Kumaraswami Mudaliyar.

(3) A BILL[a] TO REGULATE THE USE OF WEIGHTS AND MEASURES IN THE PROVINCE OF MADRAS.

* THE HON. SRI K. MADHAVA MENON :—" Mr. President, I beg to introduce the Madras Weights and Measures Bill, 1947 and move under rule 111 of the Madras Council Rules that the concurrence of the Legislative Assembly be obtained in setting up a Joint Select Committee of both the Houses consisting of 21 members to consider the Bill, 14 members from the Assembly and 7 members from the Council.

" There is no uniformity in the weights and measures now in use in various parts of the Province. The question of taking steps to prescribe and enforce a uniform system of weights and measures was considered on several occasions. In 1928, the Jewellers Weights Committee recommended that Government should introduce legislation. The Government decided that a Bill should be prepared to provide for the stamping of all weights and measures and prohibiting the use of those unstamped, for the licensing of manufacturers of weights, etc., and for inspection and power to destroy inaccurate weights. The difficulties in the way of the proposed legislation were however considered insuperable and the proposal to proceed with the legislation was dropped in 1932. In 1936, the question whether legislation for standardizing weights and measures should be undertaken in this Province, was referred to a sub-committee of the Provincial Economic Council. This Committee decided that the matter might be deferred until after the inauguration of the new constitution.

" The constitutional position under the Government of India Act, 1935, is that ' Establishment of Standards of Weights ' is a central subject while ' Weights and Measures ' is a provincial subject. So far as weights are concerned, it is for the Central Government to prescribe standards. The enforcement of the use of weights based

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[a] Published in the *Fort St. George Gazette*, dated 9th December 1947.

[Sri K. Madhava Menon] [23rd January 1948

on these standards is not however a matter for the Provincial Government. In 1939, the Government of India passed the Standards of Weights Act, 1939. The Act prescribed the units of weight commonly used by the railways and in commerce, namely, the tola, the seer and the maund and the ton. The stamping
4-45 p.m. establishments in this Province are at present attending to the stamping and testing of weights fixed by the Government of India Act, 1939. It was with reference to the Central Act of 1939 that the question of undertaking legislation for standardization of weights and measures was again taken up in 1939; but in view of the then disturbed political atmosphere the Government postponed legislation for the duration of the war. The question was however reopened in 1944 at the instance of Mr. G. W. Priestley (then Adviser) and it was considered necessary to specify certain denominations of weights and measures correlated to reliable standards. A draft Bill was accordingly prepared and considered recently at a conference with representatives of commercial interests, and the alterations suggested by those representatives have been embodied in it. The Bill is thus one which has been generally agreed to by commercial interests in this Province. The Bill was published for general information in Part IV-A of the *Fort St. George Gazette*, dated 9th December 1947.

"The object of the proposed Bill is to secure the uniformity which is now lacking. It follows in several respects the Bombay Weights and Measures Act, 1932, the Punjab Weights and Measures Act, 1941, the Orissa Weights and Measures Act, 1943, and the North-West Frontier Province Weights and Measures Act, 1947. It has been reported that there was opposition in the initial stages from the dealers in Bombay which was mainly the result of their conservative nature and their natural unwillingness and fear of control by a Government agency. The general response from the public in Bombay was reported to be very favourable. The Act is operating smoothly and is a success there. The trades were allowed six months as period of grace to change over to the new system of weights and measures. Similar provision is also made in our Bill. The main features of the Bill are as follows :—

'The recognized weights and the recognized measures of length, area and capacity or volume are specified in the schedule to the Bill, which is in three parts. The recognized weights have been correlated to the standard weights specified in the Standards of Weight Act, 1939 (Central Act IX of 1939). Weights and measures specified in the schedule with reference to particular trades are not to be used in other trades. Power is also reserved to the Government or any authority or officer empowered by them, to notify any integral multiple or sub-multiple of any recognized weight or measure as a recognized weight or measure for the purposes of this Bill. The Bill provides for the preparation and custody of primary and working standards for recognized weights and measures, and also for the stamping of weights and measures. Inspectors will be appointed for the purpose of ensuring that the

weights and measures used are accurate and have been properly stamped. Every dealing or contract after the Bill becomes law is to be deemed to be had or made with reference to a recognized weight or measure. The use or possession of unstamped or incorrect weights has been made a criminal offence, and such weights and measures are also liable to be seized and forfeited to Government. Unauthorized or incorrect stamping of weights and measures and the counterfeiting of any mark prescribed for stamping on recognized weights and measures have also been made offences.'

"Sir, this is the object of the Bill I move and I request the House to give its assent for referring it to the Select Committee."

The motion was put and carried.

MR. PRESIDENT :—"We have finished our agenda for to-day. I thank the learned Advocate-General for his valuable opinion in deciding the question of adjournment of business under rule 63 of the Madras Council Rules.

"The Council now stands adjourned till 11 a.m. on Monday, the 26th January 1948."

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